R.F. File No. 335 of 1939.

Collection No.

19

Mysore Residency,

Bangalore.

Pros. Serial Nos. 1- 25

Subject.

Application of the Motor Vehicles Act to the Civil and Military Station, Bangalore.

Previous References.	Later References.
RD 467/39 Road Signs.	

NOTES AND PRECIS.

R Dis **FILE No. 5329 1939.**

Section. File No.

Heading. Serial No.

NOTES.

DEPT. BRANCH.

Pros. 19 . Nos.

Subject.

Application of Motor vehicles Act to C & M Stn Bangalore.

Notes and Orders.

EXTRACT OF NOTES IN R.DIS.F.168 of 1939.

xxx xxx xxx

1 I agree throughout; but we need not deal with Motor Vehicles Act. That must be taken up separately & at once. It is a very important Act & must be put into force.

2 Retrocession prospects need not prevent application of any of these Acts.

xxx xxx xxx

Sd/-H.Trevelyan
22-3-39.

R.Ba
16-5-39

Act of.

(R) 3

Two fundamental differences between the British Indian Motor Vehicles Act, 1914, and the Act as applied to the Station are, (i)the Municipal* Commission, subject to confirmation by the Resident, is the rule making authority in matters like registering and licensing, and not Government, and (ii) the Commission takes the fees and bears the ~~Expence~~ expenses in giving effect@ to the Act. Please see letter from this Residency to the Government of India dated 4th August 1920 recommending# the application of the Act. But the new Act is so detailed in its treatment and specialised in its application that it appears the rule making powers under all its sections should be retained by the Government. Section 11 of the existing Act provides for a few matters, and those provisions are scattered in the new Act in the various chapters, and numerous new provisions are added. But the power of taking the fees and the duty of bearing the expenses may continue to be in the hands of the Commission. A new section, 135, may therefore be inserted on the lines of the existing section 19.

* Please see — modification No. 5 relating to entry No. 78 in the Application of Laws Order.

@ modification No (10) — do —

S. N. 2 (H) F. 197-1920

4

A point of importance to be noted regarding the new Act is the constitution of authorities called the Provincial Transport Authorities and the Regional Transport Authorities Please see section 44. The two different Authorities are suitable for British Indian Provinces. It appears for purposes of the Station, the constitution of a Regional Transport Authority is sufficient. But as both the Authorities <u>shall</u> be constituted, it appears the first proviso to section 44(1) may be modified suitably giving power to Resident to abstain from constituting a Provincial Transport Authority.

5

Draft of modifications relating to the Act are submitted for approval. The views of Resident, Municipal Commission District Magistrate and Commissioner of Police appear to be necessary.

ASRao

6. A revised draft of modifications is submitted in accordance with verbal directions and the pencil corrections carried out in the original draft.

7. It is considered that it will be sufficient to constitute only a Provincial Transport Authority in the Statio as under ~~[illegible]~~ section 44(3)(b) a Provincial Transport Authority shall exercise the functions and perform the duties of a Regional Transport Authority where there is no such Authority. But it appears the provisions in section 44 ~~[illegible]~~ regarding the constitution of the two Authorities must be retained and also the power to abstain from constituting a Regional Transport Authority.

ASRao
27.7.39

Secretary.

8. Thank you. Two small changes further suggested. Please examine & incorporate if no objection found

HReuben
28/7/39.

9. Section 28: The modification that in this section "Central Government" shall stand unmodified has not been inserted. The reason is that the Crown Representative may make rules for all Administered Areas similar to those made by the Central Government in British India. Since a further provision has been added under which a notification issued by the Central Government shall have effect as if issued under this Act, the concurrent powers of the Crown Representative also to make rules may be retained in case the Political Department would like to issue a notification for all Administered Areas in this matter which is of the interstatal kind.

may be deleted as originally suggested

~~Section 63~~: Sentence has been added instead of the proviso as directed.

10 It is submitted that it appears provision cannot be made in the Act in force in the Station to issue permits valid outside where this Act is not in force. Nor can it be said that the concurrence given by the authorities there can cure the initial defect.

11. The same reciprocity will have been enforced under the existing provision where permits (including temporary) granted in British India or the Mysore State are valid in the Station on counter-signature. Transport vehicles intending to ply between the Station and the Mysore State or British India as the case may be for the conveyance of passengers on special occasions like fairs and religious gatherings may obtain temporary permits in Mysore State or British India to be valid within those areas, and they may be valid in the Station on counter-signature.

all right

DsRao
29.7.39

Secretary.

12. The revised draft is below. The reasons for the modifications now proposed are mostly implicit in them, & notes have not been written on their reasons. Will DT. & Comm of Police please see for their remarks?

Please note that Sec 42 (3) after modification (& other similar sections, will read 'Comm Representative, Central Govt. or a Provincial Govt.'

OFFICE OF THE COLLECTOR & DISTRICT MAGISTRATE
31 JUL. 1939
No.....
C. & M. STATION

31/7/39

DT
Comm of Police } U/O

District Magistrate, Cantt. Station, Bangalore
U/O. dated the 31st July 1939

13.

I enclose a note by the Commissioner of Police on the subject. I agree that some simplified form of administration is required in the Civil and Military Station. But this could best be attained, I think, by dispensing with any Regional Transport Authority, which is quite unnecessary here, and constituting the Commissioner of Police as Provincial Transport Authority, with the District Magistrate as appellate authority or some such arrangement. It is especially unecessary at present to set up any complicated machinery since with retrocession the Civil Station will come under the Mysore Motor Rules. If, as is proposed, the Regional Transport Authority is to be dispensed with, it will be better to omit all references to it and the following modifications may be made in the Act.

1. Section 16 & Chapter IV (whole):-

For the words,

"A Regional Transport Authority"

"The Regional Transport Authority

"A Provincial Transport Authority

or Regional Transport Authority"

"The Provincial and Regional Transport Authority

"The Provincial or a Regional Transport Authority".

"Regional and Provincial Transport Authorities"- wherever they occur, read "The Provincial Transport Authority".

(2) 2. Section 68(2) (a) For "them" read "it".

(3) 3. Section 44:-

(i) Sub-section (1) omit the words "Specified... ..... functions" and add thereafter the words "and such other functions as may be prescribed".

(ii) Omit sub-section (3).

(4) 4. Section 45:- Omit the portion commencing with the words "of the region" to the end of the Section.

(5) 5. Section 50:- Omit the words "in the region" where they occur and the portion commencing with the words "of the region" to the end of the section.

(6) 6. Section 51:- Omit the words "the region or any specified area within the region".

(7) 7. Section 56(a):- Omit the words "in the region or in any specified area or on any specified routes" within the region.

(8) 8. Section 57(b):- Omit the words "in any region or any area within a region" and the words "of the region or of such area".

The modification proposed to Section 63(1) in the Residency Office note is in consonance with the above proposals.

(9) 9. Section 63(4):- Instead of omitting this sub-section as proposed, I would suggest that some such provision as the following be substituted:-

"A temporary permit as contemplated in clause (a) or clause (c) of sub-section (1) of section 62 may, with the concurrence, given generally or for the particular occasion, of the Provincial Transport Authority, be issued by a competent Transport Authority in British India or the Mysore State to be valid in the Civil and Military Station".

14. This will meet the Commissioner of Police's objections on this score, so far as is possible from our side. The Government of Mysore (which is likely to enact similar legislation with modifications) may be asked to make a similar provision for the recognition of our temporary permits. Recognition of our temporary permits in British India is not of course such a necessary thing but would be desirable if it could be arranged.

15 I agree with the other modifications proposed in the Residency Office note.

H.H. Carbutt
1.9.39.

District Magistrate.

16 I understand that Mysore is intending to introduce legislation on similar lines at the next meeting of the Assembly. Sir Harold Colam is working on it, I think.

17 As regards Provincial and Regional Transport authority, my suggestion would be that the Provincial Transport authority should be a body, of 3 or 4 members as in Madras, and that the Regional authority should be the Commissioner of Police acting alone. I doubt whether it is necessary or worthwhile to introduce the added labour of meetings and minutes to deal with the ordinary routine work here, which will be even less after retrocession, and there will always be an appeal to the Provincial Transport authority. It is not as if there were conflict between official and municipal interests as between Police and District Boards in Madras. Your position as President of the Municipal Commission would be sufficient guarantee that the Commissioner of Police would consult you before taking any unusual or drastic action, and there are plenty of safeguards, e.g. Section 57. This of course would come up as part of the Rules to be made. But I mention it now in view of the proposed adaptation of Section 44 and also in respect of the proposed adaptation of Section 63. In this latter case I would suggest substituting "Regional Transport authority or, if no such authority has been constituted by the Provincial Transport authority" for the words "Provincial Transport authority". This will simplify procedure and avoid the delays which are inevitable, and which were so obvious in Madras, where a Body has to act in conference. Delays mean correspondence and more work and red tape, and might be eliminated when there are no special reasons such as conflicting interests, to make the more cumbersome procedure necessary.

18 Section 63(4):- I do not see why this should not be left in and I don't follow the office note. Reciprocity has been an essential item in the working of the old Motor

Vehicles Act and Rules, and I do not see why it should not continue to be so by agreement as between the Station and Mysore State, or British India.

19. Another point in making a Regional Transport authority is in the case of appeals (Section 64). If there is only a Provincial authority, the Local Government may have to spend needless time and trouble in hearing appeals. I would in fact, suggest that there be no appeal from the Provincial Authority, if a Regional authority is constituted & Section 64 suitably altered.

ot necessary. hey are under he Police Act ot Motor Vehicles ct and only the atter is epealed.

20. Section 134:- Certain Traffic Rules have been made by the Commissioner of Police under Section 25(2) of the Bangalore Police Law. These might be included in this provision.

Id/- H.H.C.

21. I would add that I have a copy of the Madras Traffic Code available if required.

(Sd.) J.M.Green.
14-8-1939.

---:O:----

"C O P Y"

The Secretary to the Hon'ble the Resident in Mysore, B'lore
U.O.No. 3276 - C-39, dated the 31st August 1939.

2/9/39

22 As far as I can see, Comm of Police & D.M. have misunderstood our proposals which provide for a Provincial Transport Authority only. Further, he can easily be the Comm. of Police only. Appeals will lie to the D.M. under Sec 64. D.M. agrees on telephone. I have pointed out that by modifying the act in this way, we are merely following the practice provided for H'lOFP & C.C.'s provinces in Sec 44 of the Br. Indian Act.

23 63 (4). We may accept D.M.'s proposal, because we won't want to countersign Temporary permit, & so it won't be covered by 63 (1).

24. Please now draft to Political Dept. (Point out that we will not make a R.T.A & what our administrative proposals will be).

H Rudyard
6/9/39.

25 It appears it is not necessary to make all the modifications suggested by District Magistrate consequent on dispensing with a Regional Transport Authority. Section 44(3)(b) provides for the P.T.A. performing the duties of the R.T.A. where there is no such Authority. The various provisions where reference has been made to

D.I of (R)

that

that Authority in the Act will be inoperative.

Draft of a new sub-section (4) of section 63 is submitted for approval. Reference to British India may perhaps be retained although occasions for invoking it will hardly arise. After the Act is applied, Mysore may be asked to incorporate a similar provision in their Act. As to which authority should issue the temporary permit to be valid in the other territory on various special occasions will depend on where the particular fair or religious gathering takes place, and will rest on administrative arrangements.

Draft to the Political Department is submitted for approval.

ASRao
10.9.39

11/9/39.

Secretary.

Resident.

P.T.O

35.

The Resident considers that although the rule making authority in all matters shall be the Resident, the Municipal Commission should continue to take the fees and bear the expenses in giving effect to the Act, as at present.

36

Reference has also been made to the Crown Representative suggesting that it should be possible to use in Mandatory Sign No.8 in the Ninth Schedule the expression "Stop - Main Road Ahead".

Id.A.S.Rao
5/3/40

37

I enclose an office note about our Act, and copy of the proposed modifications.

Sd. H. Trevelyan.
5/3/40.

Sir Harold Colam.

O/C

38

Modification 1 (section 1 of the Act). The draft notification had been sent from this Residency 7 months ago, and the commencement of the Act had therefore been proposed as 1st October 1939. The sub-section may now be modified to admit of the Act being brought into force on such date as may be appointed. This will permit the Rules and the Act being brought into force simultaneously.

Yes.

39

Modification 4 (section 23). There does not appear to be any inconsistency as pointed out by the Political Department. Section 23(2) relates to motor vehicles already registered under an enactment in force prior to the commencement of the Act of 1939. That section says that the owners of such vehicles must have the vehicles registered under the new Act, but are given time up to 1st April 1941. The proposed modification granted this facility to owners of vehicles registered in British India as to owners of vehicles registered in this Station under the respective old Acts. Section 28 relates, on the other hand, to registration under the new Act of 1939, and according to the proposed modification, vehicles registered in British India in accordance with the new Act are exempt from registration in the Station under the new Act as applied; in other words a certificate of registration issued or in force under the British Indian Act of 1939 is effective in the Station too. This may be pointed out to the Political Department, and the retention of the proposed modifications urged.

I agree. After April 1941 there would be no legal ease for a vehicle registered before April 1939.

40

Yes.

Modification 5 (section 28). May be agreed to, and the proposed proviso omitted omitted.

41

Yes.

Modification 6 (section 29). May be agreed to. This will cover applications for the assignment of a new

registration

registration mark from owners of vehicles registered in other areas also.

42

Yes.

Perhaps to remove doubts about e.g. Delhi, Simla etc.

Modification 9 (section 42). May be agreed to. But it appears "any Government in British India" is an unusual expression to designate either the Central or any Provincial Government in British India.

43

Yes.

Modification 14 (section 94). May be agreed to, although the modification proposed by this Residency included "Crown Representative" and need not specifically have been put in.

44

Modification 15 (section 108). The intention is perfectly obvious and unambiguous, which was that the benefit of cooperative insurance under this section should be allowed to societies registered in British India also. But perhaps no such provision for the benefit of British Indian societies need specifically be made and the provision may be restricted only as regards the Station. The modification proposed in the latter part of this paragraph may be accepted.

Yes.

45

Modification 17 (section 134). There is force in this point, and for the efficient working of any enactment, the Rules and the Act must simultaneously come into force. It appears the framing of the Rules may be taken on hand immediately the draft issues to the Political Department, in consultation with the District Magistrate and the Commissioner of Police. The Act and the Rules, when they are ready and after previous publication, may be brought into force together by the required notification under section 1(3) of the Act. Please see section 22 of the General Clauses Act.

I agree. This should be done.

put up

46

Yes.

Para 9 of the Political Department's letter: May be agreed to, and the Sixth Schedule may be suitably modified

Yes. 47

Para 10: May be agreed to.

48 Draft to the Political Department and a revised draft notification will be prepared when orders are passed on the various points raised in these notes.

PsRao
24.4.40

(from para 38)

Secretary. attd 25/4.

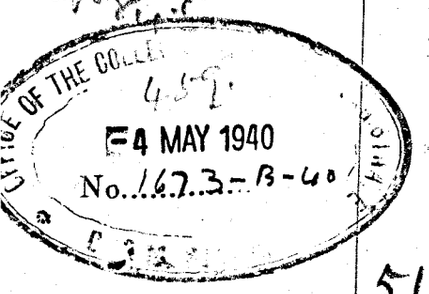
49. Revised draft of a notification and of letter to the Political Department submitted for approval.

PsRao
1.5.40

Secretary. 50. As to D.M. for any comments he may have. attd 2/5.

District Magistrate, C. & M. Station, Bangalore

m/o. No. D. 4083-40/ Judl., dated 3rd May 1940



51. I have discussed with the Commissioner of Police. We agree with the Resident's Office Note. I enclose an extract from the Commissioner of Police's views in the matter. I think we might await the Mysore Act and Rules rather than go in for drafting Rules now.

H.H. Cochrane

The Secretary to the Hon'ble the Resident in Mysore, B'lore
U.O.No.1673-B-1940 dated the 30th May 1940.

Pol. II
Cap. 14

Dy. No. 5443

S. N. 5

52. Draft to Political Department may now issue. Question of Rules under the Act will be taken up on the connected file.

ASRao
1-6-40

(from para 51)

Secretary.

53 Draft may be issued?

Health.

AM 2/6

19/6

AM 4/6

2-6

S. N. 6: Issue.

U.O.No.344/M.V./40 dated 25-5-1940 from the Commissioner of Police, C & M Station, Bangalore.

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* * *

54. As regards simultaneous introduction of act and Rules these points may be considered-

55. Our Rules (and further modifications of the act) must await legislation by Mysore State as we must clearly conform. This will mean waiting at least till the end of this year, if not longer.

56. Therefore we should either hold up act and Rules till after Mysore has legislated or bring in Act now and put up Rules and modifications of act necessary to conform to Mysore later on, giving ourselves say 12 months in which to make the Rules. This procedure though involving further alterations of the act, has the advantage of giving the public time to get to know the act and also of applying certain principles contained in the act as distinct from the Rules, at once.

57. I do not personally mind much either way but think the second course has something to commend it.

"E X T R A C T"

M. Ethappa

SHERISTADAR.

30/5

58

Cor. pp. 4

The new section 135 is necessary and the Municipal Commission should continue to take the fees and bear the expenses in giving effect to the Act. Please see the penultimate sentence of letter from this ~~Resident~~ Residency to the Political Department dated the 28th September 1939. The omission of the modification ~~forwarded~~ in the revised draft is a mistake. The mistake is regretted. Draft submitted.

DSRao 2.8.40 D 2/8 T 93/8

Result. U/S

D 3/8

S.N.8: Issue.

D. 2.9.40

Dy.No. 9012 S.N.9

59

Please see the revised draft forwarded by this Residency. All the important modifications suggested have been accepted, and the few verbal changes made have been shown in red pencil in the Political Department notification.

* Cor. pp. 17 - 19 (X)

60

One important change is modification (14) brought about by the Political Department by which Chapter VIII is omitted. It is ofcourse not intended to bring that Chapter into force in Bangalore before it becomes operative in British India on 1st July 1943 - vide section 1(3) of the Motor Vehicles Act. Under section 1(3) as applied it was possible to issue a notification appointing a suitable date on which the Act shall come into force with the exception of Chapter VIII, and also appointing a subsequent suitable ~~dtx~~ date on which that Chapter shall come into force. A power to issue a notification bringing the whole Act into force includes the power to issue a notification bringing a portion of it into force. But the method employed by the Political Department appears curious. It is to omit altogether Chapter VIII now, and perhaps omit that modification when it is considered necessary to put Chapter VIII into force in the Station. It would be like passing the Act in British India without Chapter VIII, and then amending the Act and introducing Chapter VIII. This method appears altogether inappropriate and uncommon. If this view is not accepted, an alternative method may be employed of modifying section 1(3) somewhat on the lines of section 1(3) of the Defence of India Act. This may be pointed out to the Political Department. Draft submitted.

Ret at (R)

Put up.

61

The ~~question~~ question of rules to be made under the Act is being taken up on the connected file.

DSRao 21.9.40

62 We had better send a draft of alternative 2 for consideration. It will be quite a small modification

Secretary. D 22/9

Result T 93/x. Let 3/o AM 23/9.

S.N.9 to Issue.

63. With reference to para 62 draft to Political Department is submitted. The modification to section 1(3) has been drafted not exactly on the lines of the section in the Defence of India Act but slightly in a different manner, and is for approval.

A.S.Rao
28.9.40

A.M. 3/10

J.G. 3/10

Secretary.

S.N. (10) issue.

Dy.No. 10,832 S.N.11

64. Please see S.N.10/cor.p.27. The Political Department at last agreed that the method adopted by them was not quite the best. The original Notification at S.N.9/cor.pp.23 to 26 as amended by the present Notification (P.U.C.) may now be republished in the Residency Orders. Draft submitted. After the Rules under the Act are ready (being discussed on the connected file) the Act may be brought into force by a notification under section 1(3).

A.S.Rao
12.xi.40

AM 12/4

Secretary.

S N (12) issue.

65

It has been ordered on the file pertaining to the making of Rules under the Motor Vehicles Act that the Political Department must be addressed for 2 changes in the Act:

(1) inserting a provision to permit provision in the Rules regarding the grant of a special licence to Military Officers to cover their driver orderlies who change very frequently, and

(2) changing the date 1st April 1941 to 1st June 1941 before which re-registration must be done under section 23(2) of the Act.

Draft of an Express Letter submitted.

ASR
27.2.41

Secretary

66. Issue.
RM 27/2.

S.N. (13) issue

Mv. Act & Rules

67 ✓ Please see Major Waters' letter attached.

68 ✓ What do you think of the proposal? I am personally all in favour. It would save a vast amount of inconvenience.

[signature]

Secretary President.

69 ✓ I also am in favor if it is correct legally as appears.
Will J.C. pl. examine.

JC

[signature] 20/3

70 4. The provisions that pertain to this matter are sections 24(3) and 29(2) and the Sixth Schedule.

Act of (R)

71 5. As Major Waters points out, the third letter is intended to denote the District as the first 2 letters mentioned in the Sixth Schedule are intended to denote the Province in which a motor vehicle is registered. The intention is also that all the motor vehicles registered under the old Act also must bear the new registration marks for purposes of identification of the Province and the District to which they belong. Thus, after the specified

specified date - 1st April 1941 - all motor vehicles, old and new, will bear a uniform registration mark.

72. ✓ There seems to be no legal objection to retain the letters 'BA' in Bangalore, which is one administrative unit. The only reason why 'BAN' was decided upon was that the Political Department stated that it was desirable to follow in Bangalore also the 3 letter system set forth in the Sixth Schedule.

× para 9 of S.N.4 Corr. p. 13 R. F. 532-39 — please see para 46 of notes on that file.

73. If it is decided not to change over to 'BAN', reference to Political Department would be necessary to modify the provision in the Sixth Schedule. Then, it appears, a formal re-registration under section 23(2) also would not be necessary, and the words from "until the 1st day of April 1941" to the end may be omitted. Motor vehicles registered under the old or new Act in British India; and motor vehicles registered under the old Act in the Station shall be deemed to be registered under the new Act; if vehicles registered outside the Station are kept in this Station for a period exceeding 12 months, then they would require to obtain the registration mark of this Station - please see section 29(1).

AsRao 20-3-41

(from para 1)

Secretary

74 Please see from para 1.
There are no obvious objections & several advantages in retaining "BA"
P.D. may be addressed as suggested in para 7.
Regds.

21/3 21/3.

75. As regards para 7 of the letter, Re-registration should be insisted on as the Registration certificate is to be issued in a new form, and also re-registration will be very useful to me to know exactly how many vehicles having the BA registration are still on the road. We have noticed nearly 3900 vehicles to-date. But many of these are scrapped, noticed elsewhere &c. &c. I have really little idea of how I stand. If vehicles are now required to re-register, all numbers not re-issued by 1/6/41 can be cancelled automatically, & re-allotted, and my register will be accurate, & the present ownership of every vehicle known

Commissioner

76. Please see paras 73, 74 and 75. In the circumstances explained by Commissioner in para 75, the re-registration provision mentioned in para 73 may be retained, and only the Sixth Schedule may be modified. Draft to Political Department submitted.

ASR
27.3.41

77. Secretary.

S. N [15] issued

Motor Vehicles Act, 1939 – Registration mark for C[ommissioner], Mysore

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OFFICE OF THE HON'BLE THE RESIDENT IN MYSORE, BANGALORE.
31 MAR 1941
Diary No 3342
File No

paras 67 & 68 of notes.

78. In continuation of my previous reference I send herewith a further letter from the Local Secretary, A.G.G. on the adoption of the letters BA in preference to BAN, as the Regn. mark under the new act.

79. The chances of a Burma vehicle coming to Bangalore are very remote, and there should be no likelihood at all of an International Registration plate being confused with the Registration mark. The latter has figures as well as letters and could hardly be confused with the former.

30/3/41

Secretary to Resident.

80. As stated by Major Waters and by Commissioner of Police International distinguishing marks and the ordinary registration marks cannot be mistaken for one another. The registration mark "B.A." has long been in existence, and no confusion has arisen. The reference has already been sent to Political Department for the continuance of "B.A.

× S.N. 15

Co. pp 39-41

and it appears that unless they raise the point, there need not be another reference to them again suggesting "BAN".

DSRao
4.4.41

(from page 78)

Secretary

81 Please see the draft Motor Vehicles Rules published for objections. As already ordered the Rules and the Act must be simultaneously brought into force on the 1st May 1941. Draft submitted. After it issues, file will be sent u/o. to Commissioner of Police for suggesting other orders and notifications necessary before the Act actually comes into force.

DSRao
12.4.41

Secretary

S. N (16) issued

It is some time now since a reference was sent to the Political Department suggesting that the registration mark for motor vehicles under the new Motor Vehicles Act,1939, may be retained as "B.A." and not changed to "BAN". A reminder may be sent by telegram to expedite reply. ~~xx~~ The main file is with Commissioner of Police, who may be requested u/o. kindly to return the file for an hour after which it will be returned to him.

ASRao
21.4.41

21.4.41

E.A.

C.P.

Commissioner of Police, C. Off. station, Bangalore

u/o. dated the 21st April 1941

21/4

Draft telegram submitted.

BAR
21.4.41

Issue as amended.

E.A

21.4.41

82 The notification may as usual be republished in the Residency Orders. Draft submitted.

83 Regarding para 2 of the Political Department's letter, the motor vehicles in the possession of belonging to the military officers concerned (for example the General Officer Commanding) are presumably not the property of the Central Government and are their own private cars. Under sub-section (3) of section 14, such drivers licensed under that section to drive Central Govt vehicles cannot drive the private cars of these military officers. Even if the General Officer Commanding has in his possession a motor vehicle which is the property of the Central Government, there may be several other military officers who are not provided with Government cars and who have to own private cars in whose case the general driving licence to their orderlies would be necessary. Political Department accept this position in the last sentence of their letter. It is not clear, then, why they do not accept the proposed modification to cover frequent change of the orderlies of these military officers. Commissioner of Police may be requested kindly to offer comments; perhaps a reference would be necessary to them to reconsider.

Ref at ®

84 Reference para 81 of notes, Commissioner of Police may be requested kindly to suggest the various orders and notifications necessary.

VsRao
16.4.41

Secretary.

Commissioner of Police C. & M. Station, Bangalore

u/o. No. D.3574-41/Judl.. dated the 18th April 1941

S.N.(18) issued

86. Re para 83, J.C. is quite right. The whole point is that Officers have military duties for their Private Cars. The General himself is the particular case in point on which I put up the amendment to our existing Rules. There are several others.

The amendment is necessary and may be passed.

Rule 49 may stand, provisionally, as our legal difficulty is correct.

[86 I have since framed certain amendments to the Rules as necessary

These notes pertain to Rules & have therefore been carried over to the Motor Vehicles Rules file.

87. Rule 136 (1) should read "The fees (exclusive of municipal Tax) in respect of the grant and renewal of a permit, or of the extension to the Military Station of the validity of a permit granted by a Transport authority shall be:— "

This will enable us to extend e.g. Mysore State Permits, to vehicles running into C. Mn. Station, instead of making them take out completely separate Permits, which is waste of time, labour & paper.]

Motor Vehicles (Cel.

86 If no reply has been received from P.D. re use of letter BA instead of BAR will Tel. please tel. a reminder asking for tel. reply?

T. L. R.

CH 27/4

87 Draft submitted.

28.4.41 88.

EA.

28.4.41

S. N. (19) issued.

89 Please see S.N.17/cor.p.45 and paras 83 and 85 of notes. Draft to the Political Department is submitted if it is decided to address them to reconsider.

AsRao
25.4.41

(para 86)

Secretary

90 I & J are quite definite that if the Vehicles do not belong to the Central Govt. Civil licences will have to be taken out. We may drop the matter.

Result.

91 Yes I think so

PSealy

In the light of

92 In view of the orders in paras 90 and 91 of notes, rule 49 of the new Motor Vehicles Rules (permitting a general licence to military driver orderlies) cannot remain in the Rules. But omitting it now before the Rules are finally made on 1-5-1941 would involve re-numbering of all the Rules and the consequential renumbering of references to Rules in the rest of the Rules. This would involve delay, and hence perhaps the Rules may now be made, and thereafter an amendment may be made omitting rule 49. There should be no legal objection to do this.

AsRao
28.4.41

93. I agree.

94. Civil driving licences are meant. The point is to make a special type of civil driving licence available for military drivers. The Council for instance, so it was

* An advance copy of the Rules with the modifications submitted for approval has already been sent to Press to enable them to get them out on 1.5.41

Commissioner of Police.

Secretary.

upwards, pets different shows each month, I would have to pay Rs. 5/- each time for civil driving licence.

HOME DEPARTMENT
IN MYSORE, L...
28 APR 1941
Diary No 4308
File No .....

95. Can't be helped. We shall 28/4/41
have to explain to D.H.Q. that we did our best.
AM 29/4.

Please see S.N.19 for action on orders of para 86
BR 28/4/41

Correspondence re Police, Cantt. Station, Bangalore
No. MA R.E. 532-39 Judl. dated the 15th May 1941.
See
AM
11/5

Dy.No.4388 S.N. 20

96. Both the Act and the Rules provide for the three letter mark as originally approved by the Political Department. On receipt of the telegraphic orders refusing to alter the existing mark "BAN" to "BA" steps were taken to put the Rules into force with effect from 1st ~~xxxy~~ May as already ordered. May be filed.

97. C of P will perhaps explain to D.H.Q.
AM 1/5

BR 1.5.41

98. We may also reply to representation received re this, saying that the matter was referred to G of I but they signified their inability to accede to the request.
AM 2/5

Secretary
AM 9/5

*Extracts from notes sent to C.P. AM 6.5-41

CONFIDENTIAL

99 "This implies retention of existing registration numbers".

Id/-J.G.

100 Please see paras 96 and 98 of notes ante. The following associations have addressed us:-

~~S.N.5~~/c.p.~~6~~42 (1) Automobile Assocn. of Southern India
S.N.8/c.p.9 (2) Southern Divn. Rate Payers' Assocn.
S.N.9/c.p.10 (3) Bangalore Trades Association.

Draft I Draft submitted. Only the decision of the Political Department need be communicated and the reasons need not be given, especially since (2) above have a tendency to enter into controversies on such ~~xxxxxxx~~ matters.

101 Please see paras 92 to 95 of notes ante. Rule 49 may now be deleted by amending the Rules. Previous publication under section 133(1) ~~xxxxx~~ of the Act is necessary. Draft submitted.

102 Before drafts issues District Magistrate and Commissioner of Police may perhaps see ~~xxxxxx~~ the file u/o so that they may note the reasons explained by the Political Deptt. in their letter at S.N.21.

K. Chandra 7.5.41

Secy.

Recd. 14/5.

OFFICE OF THE HOME MINISTER IN MYSORE, BANGALORE. 14 MAY 1941 Diary No 1870 File No

No. 1676. B. 41.

DESPATCHED 14 MAY 1941

O. C. No 1676 B/41 4/13/41.

Dist. Magistrate, C. and M. Station, Bangalore } U/O
Commissioner of Police

U/O No. R.F. 610/40/Jndl. dt. 10-5-1941

OFFICE OF THE HOME MINISTER BANGALORE No. 1951/41/41 14 MAY 1941 C. I STATION

N.V. Carlton 13.5.41.

14/5/41

C.I

S.N. 22 - 23 Joins

Dy.No.4987 S.N. 24

103 A reply issued on the 16th May 1941.
May be filed.

H Chandra 21.5.41

R 22.5.41

E.A.

104 Please see para 101 of notes and S.N.23/c.p.52. (F)
No objections or suggestions have been received.
The amendment may be ~~xxxxxxxxxxx~~ notified. Draft submitted. Issue.

H Chandra 30.5.41

Have we explained (Para 104) Secy.

105 to D.G.? Attd.

S.N. 25 (Issued) C.p.54 X

106 Ref. Para 105 above. Please see marginal remarks against para 97 ante. ~~xxxxxxxxxx~~ Commissioner of Police would have explained to Headquarters. If however it is considered necessary to ascertain that, a separate U/O note will be sent to him.

H Chandra 31.5.41

(Para 106) Secy.

107 Extracts from notes sent on 5/6/41 to C.P.

Asst Supdt.

Attd/6.

Extracts from Resident's Office Motor Vehicles Acts and Rules File.

—

'Govt. of India are quite definite that if the vehicles do not belong to the Central Govt. civil licences will have to be taken out. We may drop the matter.'

Id/-A.M.
26/4/41

'Yes. I think so'

Id/-J.G.
26/4

- - - - - - "The General, for instance, so it was represented, gets a different driver each month, and would have to pay Rs.5/- each time for a civil driving licence".

Id/-J.M.G.
28/4/41

"Can't be helped. We shall have to explain to D.H.Q. that we did our best"

Id/-A.M.
29/4

* * *

Extracts from notes sent to C.P.
Id/-K.C.
6/5/41

"C. of P. will perhaps explain to D.H.Q."

Id/- A.M.
2/5

* * *

"Have we explained to D.H.Q.?"

Id/- A.M.
31/5

"Please see marginal remarks above. Commissioner of Police would have explained to Headquarters. If however it is considered necessary to ascertain that a separate U/O note will be sent to him".

Id/-K.Chandy
31/5/41

"Ask C. of P."

Id/- A.M.
1/6

To the Commissioner
of Police U/O
5th June 1941.

AC
5-6-41

108

I wrote 8559 and my letter was published in Station orders.

Secretary to President.

108/6

9/6

109

Please see paras 106 to 108. No action is necessary.

(From para 106)

9.6.41

10.6.41

OFFICE OF THE
HON'BLE THE RESIDENT
IN MYSORE, BANGALORE.
-7 JUN 1941
5723.
File No.

E.A.

Private

CORRESPONDENCE.

Sn. (1)

No.F.24-I.B./39.

From

The Secretary to His Excellency the
Crown Representative,

To

The Hon'ble the Resident at Hyderabad.
The Hon'ble the Resident for Central India.
The Hon'ble the Resident for Rajputana.
The Resident for Baroda and the Gujarat States.
The Resident for Kolhapur and the Deccan States.

Dated Simla, the 30th August 1939.

The Motor Vehicles Act, 1939
(IV of 1939).

...

Sir,

I am directed to state that the application of the Motor Vehicles Act, 1939, (IV of 1939) to the administered areas where the Indian Motor Vehicles Act, 1914, is in force, appears to have obvious administrative advantages, and to suggest that the desirability of applying the 1939 Act may kindly be considered. For the sake of uniformity, the 1939 Act may with advantage be also applied to the railway lands in Indian States where jurisdiction is vested in the Crown Representative as this will cover the cases of railway crossings, goods yards etc. I am to request that the resul of your examination of this suggestion may kindly be communicated to this Department.

I have the honour to be,

Sir,

Your most obedient servant,

Sd. C.P.Hancock,

for Secretary to His Excellency
the Crown Representative.

Copy forwarded to

the Hon'ble the Resident in Mysore,
the Hon'ble the Resident for the States of Western India,
the Hon'ble the Resident for the Punjab States,

for information and favour of such action as may be considered necessary in connection with the railway lands in Indian States with which he may be concerned.

By order, etc.,

Ramji Das

for Secretary to His Excellency
the Crown Representative.

Aug

OFFICE OF THE.
HON'BLE THE RESIDENT
IN MYSORE, BANGALORE.
4 SEP 1939
Diary No. 9214
File No.....

RD

534/39

R.Dis.No.F. -39 Judl.
Enc. 4.

DEPARTMENT.

BRANCH.

File No.

Serial No.

Draft Letter / Memorandum / Telegram

Issued 29/9/39 FH.

Class for telegrams	INLAND:	FOREIGN:
	Immediate	Immediate
	Important	Important
	Express	Ordinary
	Ordinary	Without priority

Issue 25/9

To be issued on

Issued on

1st Reminder

2nd Reminder

3rd Reminder

Heading:

Case or Diary No.

If post copy of telegram required

Date of despatch of above

List of enclosures

(Code word for telegrams.)

Dated 28th September 19 39

To

The Secretary to His Excellency the Crown Representative, Simla.

Application of the Motor Vehicles Act, 1939, to the Civil and Military Station of Bangalore.

Sir,

I request that the Motor Vehicles Act, 1939 (IV of 1939) may be extended to the Civil and Military Station of Bangalore.

2. ~~I have suggested two important modifications in the provisions of the Act in their application to the Station.~~ It is considered that the requirements of the Station do not call for the constitution of the two classes of Transport Authorities mentioned in section 44. Power has, therefore, been proposed for the Resident to abstain from constituting a Regional Transport Authority as in the case of the North-West Frontier

S. 5.
MGIPC—S5—1595(S&P)MFP—(M-944)—6-3-39—60,000 Pads.

Frontier Province and Chief Commissioners' Provinces.

2. I also ~~Secondly it is~~ considered that although the rule making authority in all matters shall in future be the Resident, the Municipal Commission should continue to take the fees and bear the expenses in giving effect to the Act. The insertion of a new section is, therefore, proposed on the lines of the existing section 19.

3. Draft of a notification is enclosed for the consideration of His Excellency the Crown Representative.

I have etc.,

Resident.

ASR
10.9.39

3. Please refer to endorsement from the Political Department No.F.24-I.B./39, dated the 30th August 1939. When the Act is applied to the Civil and Military Station, Bangalore, it becomes operative in the Railway lands in Mysore State over which jurisdiction has been ceded to the British Government by virtue of the Notification of the Government of India in the Foreign Department No.507-I., dated the 6th February 1896, which applies all enactments for the time being in force in the Station to the Railway lands.

POLITICAL DEPARTMENT.

NOTIFICATION.

No..... Date.....

In exercise of the powers conferred by the Indian (Foreign Jurisdiction) Order in Council, 1937, and of all other powers enabling him in that behalf, the Crown Representative is pleased to direct that the following further amendment shall be made in the Civil and Military Station of Bangalore (Application of Laws) Order, 1937, namely:-

In the Schedule to the said Order, under the heading

"Acts of the Central Legislature" -

Entries Nos.132 and 133 shall be re-numbered as entries Nos. 133 and 134 respectively, and before entry No.133 as so re-numbered, the following entry shall be inserted, namely :-

132. The Motor Vehicles Act, 1939 (IV of 1939).

(1) In section 1 -

(i) omit subsection (2); and

(ii) in subsection (3) for the word "July" where it occurs for the first time substitute "October".

(2) In section 9 -

(i) omit subsection (1); and

(ii) in subsection (2) for the words "any Indian State" substitute "British India, in any Indian State"; and for the words "the State" substitute "British India or the State".

(3) In section 14 the words "Central Government" wherever they occur shall stand unmodified.

(4) In section 23 -

(i) for subsection (1) substitute

"(1) Subject to the provisions of section 25 and section 39, every owner of a motor vehicle who normally keeps it in the Civil and Military Station of Bangalore shall cause it to be registered by the registering authority".

(ii) in subsection (2) the words "British India" shall be read as referring to British India and the Civil and Military Station of Bangalore.

(5) In section 28 -

(i) omit subsection (1);

(ii) in subsection (2) for the words "any Indian State" substitute "British India, in any Indian State"; and

(iii) after subsection (5) insert the following - "Provided that a notification issued by the Central Government under subsection (5) of the Motor Vehicles Act, 1939, for the time being in force in British India, shall have effect as if issued under this Act".

(ii) for subsection (4) substitute -

a temporary permit issued by

"(4) Notwithstanding anything contained in sub-section (1), a competent authority in British India or the Mysore State ~~may issue a temporary permit similar to the permit referred to in section 62 and for the purposes mentioned in clause (a) or clause (c) of sub-section (1) thereof, to~~ be valid in the Civil and Military Station of Bangalore, with the concurrence, given generally or for the particular occasion, of the Provincial Transport Authority"

under provisions of law

Corresponding to Sec 62 (1) (a) or (c) of this Act will

(6) In section 29 for the words "in one province has been kept in another province" substitute "in British India or the Mysore State has been kept in the Civil and Military Station of Bangalore".

(7) In subsection (4) of section 34 the words "British India" shall be read as referring to British India, the Civil and Military Station of Bangalore and the Mysore State.

(8) In ~~section~~ section 39 the words "Central Government" wherever they occur shall stand unmodified.

(9) In subsection (3) of section 42 for the words "or a Provincial Government" substitite "the Central Government or a Provincial Government".

(10) In section 44 -

(i) for the first proviso to subsection (1) substitute -

"Provided that the Resident may abstain from constituting a Regional Transport Authority"; and

(ii) omit the second proviso.

(11) In section 63 -

(i) for subsection (1) substitute-

"(1) Except as may be otherwise prescribed, a permit granted in British India or the Mysore State shall be valid in the Civil and Military Station of Bangalore if countersigned by the Provincial Transport Authority"; and

~~(ii) omit subsection (4)~~

(4). The P.T.A. may issue a temporary permit under xxx to be valid in Br. India of the Mysore State with the concurrence of the, given xxx, of the P.T.A. of the Province or State concerned.

(12) For clause (i) of subsection (2) of section 68 substitute -

"(i)the conditions subject to which a permit issued by the competent authority in British India or the Mysore State shall be valid in the Civil and Military Station of Bangalore".

(13) In subsection (4) of section 75 for the words "any District Magistrate or Superintendent of Police" substitute "the District Magistrate or the Commissioner of Police".

(14) In subsection (2) of section 94 for the words "or a Provincial Government" substitute "the Central Government, a Provincial Government or the Mysore Government".

(15) In subsection (1) of section 108 after the words "Provincial Legislature" and the word "province" insert "in British India".

(16) Omit subsection (3) of section 133.

(17) In section 134 -

(i) for subsection (2) substitute -

"(2) Notwithstanding the repeal of the Indian Motor Vehicles Act,1914, rules made by the Municipal Commission of the Civil and Military Station of Bangalore under subsection (2) of section 11 of that Act, being rules in force at the commencement of this Act, shall continue to be in force for a period of nine months from the commencement of this Act ,unless before the expiry of that period they are cancelled by the Resident by notification in the Mysore Residency Orders".

(ii) omit subsection (3);and

(iii)in subsection (4) for the words "any Provincial enactment" substitute "the Bangalore Municipal Law, 1897"; and for the word "rules" substitute "bye-laws"

(18) After section 134 insert:

"135. Income and Expenditure- The amount of any fees received and the amount of any expenses incurred in giving

effect to this Act shall be credited and debited respectively to the Municipal Fund of the Civil and Military Station of Bangalore". "

AsRao
27.7.39

Original at S.N. 6 in R. Dis. F. No. 467-39

No. D.521-I.B./40

From

The Secretary to His Excellency the
Crown Representative,

To

The Hon'ble the Resident in Mysore.

Dated New Delhi, the 8th April 1940.

Motor Vehicles Act, 1939.

Sir,

I am directed to refer to paragraph 1 of your letter R.Dis.No.F.467-39 Judl. dated the 21st February 1940 and to say that the draft notification received with your letter No.F.532-39/Judl., dated the 28th September 1939 is being examined in consultation with the Administrative Department of the Government of India concerned, and that a reply will be sent to you as early as possible.

* S.N.2
Corr.3

* * * * * * * * * * * *

S.N.4 No.F.161(5)-I.B./39.

From

The Secretary to His Excellency
the Crown Representative,

To

The Hon'ble the Resident in Mysore.

OFFICE OF THE
HON'BLE THE RESIDENT
IN MYSORE, BANGALORE.
20 APR. 1940
Diary No. 4083
File No.

Dated New Delhi, the 15th April 1940.

Application of the Motor Vehicles Act, 1939, to the Civil & Military Station of Bangalore.

B 0532/39

I am directed to refer to your letter R.Dis.No.F.532-39/Judl., dated the 28th September 1939, on the above subject, and to make the following comments on the draft Notification forwarded by you:

1. Modification 1 (Section 1 of the Act). Since the Motor Vehicles Act, 1939, has not as yet been applied to the Civil and Military Station, Bangalore, the existing modification of section 1 (3) will now require suitable revision.

2. Modification 4 (Section 23). The modification of section 23 (2) as proposed by you provides for the free registration in Bangalore of a motor vehicle already registered in British India, while the modification of section 28 (2) provides for the exemption from registration of the same vehicle. Since these two modifications would give rise to some inconsistency, it is considered that no special modification of section 23 (2) is necessary, and that motor vehicles registered in British India should be left to be regulated by section 28 (2) as modified.

3. Modification 5 (Section 28). If the proposed proviso to section 28 (5) is necessary, a similar proviso would appear to be necessary in section 9 (4) as well. This Department is however inclined to doubt the practical necessity for such provisos. From an administrative point of view it is considered desirable for the Crown Representative to retain the discretion whether or not corresponding action to that taken in British India under section 9 (4) and 28 (5) of the British Indian Act should be

taken in Bangalore under the corresponding sections of the Act as applied to that Station.

4. Modification 6 (Section 29). It is considered preferable to substitute for the words "in one province has been kept in another province" occurring in section 23 (1) the words "outside the Civil and Military Station of Bangalore, has been kept in that Station". In the same sub-section the words "within whose jurisdiction the vehicle then is" may be omitted.

5. Modification 9 (Section 42). For the sake of clarity the proposed modification may be redrafted as follows:-

In clause (a) of sub-section (3) of section 42 for the words "Central Government or a Provincial Government" substitute "Crown Representative or any Government in British India".

6. Modification 14 (Section 94). It is suggested that the proposed modification may formally be revised as follows:-

In sub-section (2) of section 94, for the words "Central Government or a Provincial Government" substitute "Crown Representative, any Government in British India or the Mysore Government."

7. Modification 15 (Section 108). It is not quite clear whether it is intended that the benefit of cooperative insurance under this section will be allowed only to cooperative societies of public service vehicle owners registered in Bangalore or whether it will be allowed also to societies registered elsewhere. If the former is intended, it is suggested that sub-section (1) of section 108 as applied to Bangalore may open with the words "A Provincial Government may, on the application of a cooperative society of public service vehicle owners registered or deemed to have been registered under the law relating to cooperative societies for the time being in force in the Civil and Military Station of Bangalore, and subject to the control of the Registrar of Cooperative Societies of that Station, etc.".

8. Modification 17 (Section 134). It is suggested that, if practicable, the complications of this section as in force in British India should not be imported into the Civil and Military

Station. It ought not to be necessary to bring the new Act into force until all the preliminaries have gone through, but this is a matter for you as the local authority to decide.

9. No provision has been made in the draft Notification for the allotment of a registration mark to the vehicles registered in the Station. It is desirable to follow the three letter system set forth in the sixth Schedule to the Act and it is suggested that the suitability of the letters "BAN" as the distinguishing mark for the Station might be considered.

10. As a purely consequential amendment to the modification proposed by you in respect of section 14 of the Act, it may be provided that the words "Central Government" wherever they occur in the Fourth Schedule should also stand unmodified.

11. I am to request that a draft Notification revised, where necessary, in the light of the above comments, may kindly be supplied to this Department at an early date.

I have the honour to be,

Sir,

Your most obedient servant,

C.B. Hancock

for Secretary to His Excellency
the Crown Representative.

S. N. 5

No.F.24.I.B./39.

From

The Secretary to His Excellency the
Crown Representative.

To

The Hon'ble the Resident in Mysore.

OFFICE OF THE
HON'BLE THE RESIDENT
IN MYSORE, BANGALORE.
31 MAY 1940
Diary No. 5243.
File No. R. 556

Dated New Delhi, the 27th May 1940.

Application of the Motor
Vehicles Act, 1939, to
Administered Areas.

Sir,

S. N. 4
P.U.C. 1

I am directed to refer to this Department letter No. F.161(5)-I.B./39, dated the 15th April 1940, on the subject noted above and to say that the Notification applying the Motor Vehicles Act, 1939, to the Civil and Military Station, Bangalore is likely to be used as a guide for similar Notifications to be issued in respect of other Administered areas. I am therefore to request that the draft Notification asked for in the concluding paragraph of this Department letter referred to above may kindly be forwarded as early as possible.

I have the honour to be,
Sir,
Your most obedient servant,

for Secretary to His Excellency
the Crown Representative.

No.R.F.532-39/Judl.Cell.

From

The Hon'ble Lt. Col. J. H. Gordon, C.I.E., O.B.E., M.C.,
Resident in Mysore.

Issued 7/6

To

The Secretary to His Excellency
the Crown Representative, Simla.

Dated Bangalore, the 7th June 1940.

Application of the Motor Vehicles Act, 1939, to the Civil and Military Station of Bangalore.

Sir,

I have the honour to refer to your letter No.F.161(5)-I.B/39, dated the 15th April 1940, and to offer the following remarks:

1. Paragraph 1. Sub-section (3) of section 1 has been suitablymodified, which will now enable the Act and the Rules to be brought into force together, as suggested in paragraph 8 of your letter.

2. Paragraph 2. Section 23(2) relates to motor vehicles registered under an enactment in force prior to the commencement of the Act of 1939. Section 28 relates, on the other hand, to registration under the new Act, and according to the proposed modification vehicles registered in British India in accordance with the new Act are exempt from registration in the Station under the new Act as applied; in other words a certificate of registration issued or in force under the British Indian Act of 1939 is effective in the Station also. Thus there does not appear to be any inconsistency between the two provisions.

3. Paragraphs 3 to 6 and 8 to 10. I agree with the comments made, and the modifications have been suitably revised.

4. Paragraph 7. The original intention was to extend the benefit of co-operative insurance to societies registered in British India but since there appears to be little practical necessity for this, I propose to adopt the alternative mentioned in paragraph 7 of your letter.

5. I enclose a revised draft of modifications for the consideration of His Excellency the Crown Representative.

I have the honour to be,
Sir,
Your most obedient servant,

Lieut. Colonel,
R E S I D E N T.

BJ

"132. The Motor Vehicles Act, 1939 (IV of 1939).

(1) In section 1 -

(i) omit sub-section (2); and
(ii) for sub-section (3) substitute

"(3) It shall come into force on such date as the Resident may, by notification in the Residency Orders, appoint in this behalf."

(2) In section 9 -

(i) omit sub-section (1); and
(ii) in sub-section (2) for the words "any Indian State" substitute "British India, in any Indian State"; and for the words "the State" substitute "British India or the State".

(3) In section 14 the words "Central Government" wherever they occur shall stand unmodified.

(4) In section 23 -

(i) for sub-section (1) substitute

"(1) Subject to the provisions of section 25 and section 39, every owner of a motor vehicle who normally keeps it in the Civil & Military Station of Bangalore shall cause it to be registered by the registering authority".

(ii) in sub-section (2) the words "British India" shall be read as referring to British India and the Civil and Military Station of Bangalore

(5) In section 28 -

(i) omit sub-section (1); and

(ii) in sub-section (2) for the words "any Indian State" substitute "British India, in any Indian State".

(6) In sub-section (1) of section 29 for the words "in one province has been kept in another province" substitute "outside the Civil and Military Station of Bangalore, has been kept in that Station"; and omit the words "within whose jurisdiction the vehicle there is".

(7) In sub-section (4) of section 34 the words "British India" shall be read as referring to British India, the Civil and Military Station

Station of Bangalore and the Mysore State".

(8) In section 39 the words "Central Government" wherever they occur shall stand unmodified.

(9) In clause (a) of sub-section (3) of section 42 for the words "Central Government or a Provincial Government" substitute "Crown Representative or any Government in British India".

(10) In section 44 -

(i) for the first proviso to sub-section (1) substitute -

"Provided that the Resident may abstain from constituting a Regional Transport Authority"; and

(ii) omit the second proviso.

(11) In section 63 -

(i) for sub-section (1) substitute -

"(1) Except as may be otherwise prescribed a permit granted in British India or the Mysore State shall be valid in the Civil and Military Station of Bangalore if countersigned by the Provincial Transport Authority"; and

(ii) for sub-section (4) substitute -

"(4) Notwithstanding anything contained in sub-section (1), a temporary permit issued by a competent authority in British India under section 62 (1) (a) or (c) of this Act or in the Mysore State under provisions of law corresponding thereto will be valid in the Civil and Military Station of Bangalore, with the concurrence, given generally or for the particular occasion, of the Provincial Transport Authority".

(12) For clause (i) of sub-section (2) of section 68 substitute -

"(i) the conditions subject to which a permit issued by the competent authority in British India or the Mysore State shall be valid in the Civil and Military Station of Bangalore".

(13) In sub-section (4) of section 75 for the words "any District Magistrate or Superintendent of Police" substitute "the District Magistrate or the Commissioner of Police".

(14) In sub-section (2) of section 94 for the words "Central Government or a Provincial Government" substitute "Crown Representative any Government in British India or the Mysore Government".

(15) In sub-section (1) of section 108 for the words from the beginning to "Registrar of Co-operative Societies of the province" substitute "A Provincial Government may, on the application of a co-operative society of public service vehicle owners registered or deemed to have been registered under the law relating to co-operative societies for the time being in force in the Civil and Military Station of Bangalore, and subject to the control of the Registrar of Co-operative Societies of that Station".

(16) Omit sub-section (3) of section 133.

(17) Omit sub-sections (2) to (4) of section 134.

(18) In the Fourth Schedule the words "Central Government" wherever they occur shall stand unmodified.

(19) In the Sixth Schedule after the word and and letters "Delhi . . . . . .DL" insert the word and letters "Bangalore. . . . . BAN"

BJ

~~GOVERNMENT OF INDIA~~

POLITICAL DEPARTMENT.

EXPRESS LETTER

[*N. B.—This is an ORIGINAL MESSAGE, sent by post to save telegraphic expense and undue use of the wires, but intended to be treated, on receipt, with the same expedition as if it had been telegraphed. To save time and formalities it is worded and signed as if it had been so despatched.*]

FROM

Polindia,

Simla.

OFFICE OF THE
HON'BLE THE RESIDENT
IN MYSORE, BANGALORE.
23 JUL. 1940
Diary No. 7109
File No.

To

Resident Mysore,

Bangalore.

No. F.161(5)-I.B./39. *Dated* the 19th July *19*40.

Motor Vehicles Act.

S.N.6 Cm.p 15 (x) Reference your letter No.R.F.532-39/Judl., dated the 7th June 1940.

The revised draft of modifications forwarded with your above-quoted letter does not contain the new section 135 originally proposed by you as modification 18 ~~is~~ in the draft notification forwarded with your letter No.F.532-39/Judl., ~~dated the 28th September 1939.~~ Please intimate whether the omission of the new section 135 in the revised notification is specifically intended or not.

S.N.2 Cm.p 3. (x)

The issue of the above has been authorised.

G. Hancock

for Secretary to His ~~Excellency~~ the Crown Representative.

S. 6.
MFP—1407 S&P—(M-2339)—25-5-37—300,000.

Express Letter.

No.R.F.532-39 Judl. Dated 3rd August 1940.

From Resident Mysore, Bangalore.

To Polindia, Simla.

Motor Vehicles Act.

Reference your Express Letter No.F. 161(5)-I.B./39, dated the 19th July 1940.

2. The new section 135 was left out by oversight. Modification (18) originally proposed may kindly be inserted as modification (18) in the revised draft, and the existing modifications (18) and (19) may be renumbered as modifications (19) and (20). The mistake is regretted.

R e s i d e n t.

The issue of the above has been authorised.

for Secretary to the Resident.

S. N. 9

No.F.161(5)-I.B./39.

A copy of the undermentioned paper is forwarded to the Hon'ble the Resident in Mysore for information with reference to the correspondence resting with his express letter No.R.F.532-39/Judl., dated the 3rd August 1940.

2. It is presumed that it is not intended to bring Chapter VIII of the Motor Vehicles Act, 1939, into force in Bangalore, before it becomes operative in British India. Chapter VIII has therefore now been omitted from the Act as applied to Bangalore and the modification of section 1(3), as proposed by you, has been retained.

By order, etc.,

for Secretary to His Excellency the Crown Representative.

OFFICE OF THE HON'BLE THE RESIDENT IN MYSORE, BANGALORE. Received 17 SEP 1940. Diary No. 9821 File No. The 13th

Political Department,
New Delhi.
The 13th September 1940.

Political Department notification No. 244-I.B., dated the 12th September 1940.

No. 244-I.B.
Political Department.

Dated Simla, the 12th September 1940.

NOTIFICATION.

In exercise of the powers conferred by the Indian (Foreign Jurisdiction) Order in Council, 1937, and of all other powers enabling him in that behalf, the Crown Representative is pleased to direct that the following further amendments shall be made in the Civil and Military Station of Bangalore (Application of Laws) Order, 1937, namely:-

In the Schedule to the said Order, under the heading 'Acts of the Central Legislature", entries 132, 133 and 134 shall be renumbered as entries 133, 134 and 135 respectively, and before entry 133 as so renumbered, the following entry shall be inserted, namely:-

"132. The Motor Vehicles Act, 1939 (IV of 1939).

(1) In section 1 -

(i) omit sub-section (2);and

(ii) for sub-section (3), substitute -

"(3) It shall come into force on such date as the Resident may, by notification in the Residency Orders, appoint in this behalf;"

that chapter will shall not have effect until the 1st day of July 1942 or such subsequent date as the Resident may similarly appoint.

S.N.U
Corf 30 infra

(2) In section 9 -

(i) omit sub-section (1);and

(ii) in sub-section (2), for the words "any Indian State" substitute "British India, in any Indian State"; and for the words "the State" substitute "British India or the State"

(3) In section 14 the words "Central Government" wherever they occur shall stand unmodified.

(4) In section 23 -

(i) for sub-section (1), substitute-

"(1) Subject to the provisions of section 25 and section 39, every owner of a motor vehicle who normally keeps it in the Civil and Military Station of Bangalore shall cause it to be registered by the registering authority".

(ii) in sub-section (2), the words "British India" shall be read as referring to British India and the Civil and Military Station of Bangalore.

(5) In section 28 -

(i) omit sub-section (1); and
(ii) in sub-section (2), for the words "any Indian State", substitute "British India, in any Indian State"

(6) In sub-section (1) of section 29 for the words "in one province has been kept in another province", substitute "outside the Civil and Military Station of Bangalore, has been kept in that Station"; and omit the words "within whose jurisdiction the vehicle then is".

(7) In sub-section (4) of section 34 the words "British India" shall be read as referring to British India, the Civil and Military Station of Bangalore and the Mysore State".

(8) In section 39 the words "Central Government" wherever they occur shall stand unmodified.

(9) In clause (a) of sub-section (3) of section 42, for the words "Central Government or a Provincial Government" substitute "Crown Representative or any Government in British India".

(10) For the provisos to sub-section (1) of section 44, substitute-

"Provided that the Resident may abstain from constituting a Regional Transport Authority."

(11) In section 63 -

(i) for sub-section (1), substitute-

"(1) Except as may be otherwise prescribed, a permit granted in British India or the Mysore State shall be valid in the Civil and Military Station of Bangalore if countersigned by the Provincial Transport Authority"; and

(ii) for sub-section (4), substitute -

"(4) Notwithstanding anything contained in sub-section (1), a temporary permit issued by a competent authority in British India under clause (a) or clause (c) of sub-section (1) of section 62 of this Act or in the Mysore State under provisions of law corresponding thereto will be valid in the Civil and Military Station of Bangalore, with the concurrence, given generally or for the particular occasion, of the Provincial Transport Authority".

(12) For clause (i) of sub-section (2) of section 68, substitute -

"(i) the conditions subject to which a permit issued by the competent authority in British India or the Mysore State shall be valid in the Civil and Military Station of Bangalore;".

(13) In sub-section (4) of section 75, for the words "any District Magistrate or Superintendent of Police", substitute "the District Magistrate or the Commissioner of Police".

S.N 11 Cor f. 30

~~(14) Omit chapter VIII.~~

(15) Omit sub-section (3) of section 133.

(16) Omit sub-sections (2) to (4) of section 134.

(17) After section 134 insert:

"135. Income and Expenditure -

The amount of any fees received and the amount of any expenses incurred in giving effect to this Act shall be credited and debited respectively to the Municipal Fund of the Civil and Military Station of Bangalore".

(18) In the Fourth Schedule, the words "Central Government" wherever they occur shall stand unmodified.

(19) In the Sixth Schedule, for the words

from "One of the groups of letters" to "These letters shall be followed by", substitute:-

"The registration mark for a vehicle in the Civil and Military Station of Bangalore shall be the group of letters BAN followed by".

Sd/- C.G.Herbert,

Secretary to His Excellency the Crown Representative.

S. No. 10

No.R.F.532-39 Judl. Dated 7 October 40

To

The Secretary to His Excellency the Crown Representative, Simla.

- - -

Application of the Motor Vehicles Act, 1939, to the Civil and Military Station, Bangalore.

- - -

Sir,

I have the honour to refer to your endorsement No.F.161(5)-I.B./39, dated the 13th September 1940. It is not intended to bring Chapter VIII of the Act into force in the Station before it becomes operative in British India. It is considered, however, that under the notification to be issued under section 1(3) it is possible to appoint a date on which the Act with the exception of Chapter VIII shall come into force, and subsequently to appoint another suitable date on which that Chapter shall come into force. If this view is not accepted, I consider that an alternative course may be adopted of modifying section 1(3) in its application to the Station providing that the Act shall come into force on such date as may be appointed in this behalf, but that Chapter VIII shall not have effect until such subsequent date as may similarly be appointed. But I consider it inappropriate to now omit Chapter VIII altogether and presumably omit modification (14) when it is decided to bring that Chapter VIII into force.

2. I enclose a draft notification for the consideration of His Excellency the Crown Representative.

I have etc.,

d/c

Resident.

Issue 4/X

Issued 7/10/40

S.N.9 P.U.C

Act at (R)

The 1st July 1943 or

" in the end. to P.U.C

Typed 5/10/40

28.9.40

Political Department.

Dated the 1940

N o t i f i c a t i o n.

In exercise of the powers confe-red by the Indian (Foreign Jurisdiction) Order in Council, 1937, and of all other powers enabling him in that behalf, the Crown Representative is pleased to direct that the following further amendment shall be made in the Civil and Military Station of Bangalore (Application of Laws) Order, 1937, namely:-

In the Schedule to the said Order, under the heading "Acts of the Central Legislature" in the entry "132. The Motor Vehicles Act, 1939 (IV of 1939)"

I. For modification (1) substitute -

"(1) In section 1 -

(i) omit sub-section (2); and

(ii) for sub-section (3) substitute -

"(3) It shall come into force on such date as the Resident may, by notification in the Residency Orders, appoint in this behalf; but Chapter VIII shall not have effect until the 1st day of July 1943 or such subsequent date as the Resident may similarly appoint".

II. Omit modification (14)

Secretary to His Excellency the Crown Representative.

28.9.40

S. N. 11

Copy forwarded to the Hon'ble the Resident in Mysore for information with reference to his letter No. R.F.532-39/Judl, dated the 7th October 1940.

By order, etc.,

S.N. 10
Corp. 27

for Secretary to His ~~Excellency~~ the Crown Representative.

No. 311-I.B.
Political Department.

Dated New Delhi, the 6th November 1940.

NOTIFICATION.

In exercise of the powers conferred by the Indian (Foreign Jurisdiction) Order in Council, 1937, and of all other powers enabling him in that behalf, the Crown Representative is pleased to direct that the following further amendments shall be made in the Civil and Military Station of Bangalore (Application of Laws) Order, 1937, namely:-

In the Schedule to the said Order, under the heading "Acts of the Central Legislature" in the column headed "Modifications and Restrictions" against the entry "132. The Motor Vehicles Act, 1939 (IV of 1939)" -

(a) for modification (1), the following modification shall be substituted, namely:-

"(1) In section 1 -

(i) omit sub-section (2); and

(ii) for sub-section (3), substitute-

"(3) It shall come into force on such date as the Resident may, by notification in the Residency Orders, appoint in this behalf; but Chapter VIII shall not have effect until the 1st day of July 1943 or such subsequent date as the Resident may similarly appoint"."

(b) modification (14) shall be omitted.

OFFICE OF THE
HON'BLE THE RESIDENT
IN MYSORE, BANGALORE.
11 NOV. 1940
Diary No. 10,832
File No.

Sd/- C.G.Herbert,
Secretary to His Excellency the Crown Representative.

Copy . .

The Hon'ble the Resident
in Mysore.

No.147 Dated 14th Novr.1940.

Notification.

Notification of His Excellency the Crown Representative No.244-I.B., dated the 12th September 1940 as amended by Notification No.311-I.B., dated the 6th November 1940 is re-published.

By order,etc.,

Secretary to the Resident.

Here enter S.N.9/cor.pp.23 to 26.

To be published in the Mysore Residency Orders (50 spare copies to be supplied) with 8 unsigned copies.

Copy forwarded to:

the Collector and District Magistrate,
the Commissioner of Police,
the Residency Surgeon;
the Inspector of Schools,
the District & Sessions Judge and Regr. of Joint Stock Companies,
the Treasury and Income-tax Officer
the President, Municipal Commsn,
Civil and Military Station,
Bangalore.

(Copy to be kept on the Press Table

THE HON'BLE THE RESIDENT IN MYSORE.

NOTIFICATION.

No. 147, dated Bangalore, the 14th November 1940.

Notification of His Excellency the Crown Representative No. 244-I.B., dated the 12th September 1940, as amended by notification No. 311-I.B., dated the 6th November 1940, is republished.

By order, etc.,

O/C

Secretary to the Resident.

No. 244-I.B.

POLITICAL DEPARTMENT.

NOTIFICATION.

Simla, the 12th September 1940.

In exercise of the powers conferred by the Indian (Foreign Jurisdiction) Order in Council, 1937, and of all other powers enabling him in that behalf, the Crown Representative is pleased to direct that the following further amendments shall be made in the Civil and Military Station of Bangalore (Application of Laws) Order, 1937, namely:—

In the Schedule to the said Order, under the heading "Acts of the Central Legislature", entries 132, 133 and 134 shall be renumbered as entries 133, 134 and 135 respectively, and before entry 133 as so renumbered, the following entry shall be inserted, namely:—

"132. The Motor Vehicles Act, 1939 (IV of 1939).	(1) In section 1—
	(i) omit sub-section (*2*); and
	(ii) for sub-section (*3*), substitute—
	"(*3*) It shall come into force on such date as the Resident may, by notification in the Residency Orders, appoint in this behalf; but Chapter VIII shall not have effect until the 1st day of July 1943 or such subsequent date as the Resident may similarly appoint."
	(2) In section 9—
	(i) omit sub-section (*1*); and
	(ii) in sub-section (*2*), for the words "any Indian State" substitute "British India, in any Indian State"; and for the words "the State", substitute "British India or the State".
	(3) In section 14 the words "Central Government" wherever they occur shall stand unmodified.
	(4) In section 23—
	(i) for sub-section (*1*), substitute—
	"(*1*) Subject to the provisions of section 25 and section 39, every owner of a motor vehicle who normally keeps it in the Civil and Military Station of Bangalore shall cause it to be registered by the registering authority".
	(ii) in sub-section (*2*), the words "British India" shall be read as referring to British India and the Civil and Military Station of Bangalore.
	(5) In section 28—
	(i) omit sub-section (*1*); and
	(ii) in sub-section (*2*), for the words "any Indian State", substitute "British India, in any Indian State".
	(6) In sub-section (*1*) of section 29 for the words "in one province has been kept in another province", substitute "outside the Civil and Military Station of Bangalore, has been kept in that Station"; and omit the words "within whose jurisdiction the vehicle then is".

"132. The Motor Vehicles Act, 1939 (IV of 1939).—*cont.*

(7) In sub-section (*4*) of section 34 the words "British India" shall be read as referring to British India, the Civil and Military Station of Bangalore and the Mysore State.

(8) In section 39 the words "Central Government" wherever they occur shall stand unmodified.

(9) In clause (*a*) of sub-section (*3*) of section 42, for the words "Central Government or a Provincial Government" substitute "Crown Representative or any Government in British India".

(10) For the provisos to sub-section (*1*) of section 44, substitute—

"Provided that the Resident may abstain from constituting a Regional Transport Authority."

(11) In section 63—

(i) for sub-section (*1*), substitute—

"(*1*) Except as may be otherwise prescribed, a permit granted in British India or the Mysore State shall be valid in the Civil and Military Station of Bangalore if countersigned by the Provincial Transport Authority"; and

(ii) for sub-section (*4*), substitute—

"(4) Notwithstanding anything contained in sub-section (*1*), a temporary permit issued by a competent authority in British India under clause (*a*) or clause (*c*) of sub-section (*1*) of section 62 of this Act or in the Mysore State under provisions of law corresponding thereto will be valid in the Civil and Military Station of Bangalore, with the concurrence, given generally or for the particular occasion, of the Provincial Transport Authority".

(12) For clause (*i*) of sub-section (*2*) of section 68, substitute—

"(*i*) the conditions subject to which a permit issued by the competent authority in British India or the Mysore State shall be valid in the Civil and Military Station of Bangalore;".

(13) In sub-section (*4*) of section 75, for the words "any District Magistrate or Superintendent of Police", substitute "the District Magistrate or the Commissioner of Police".

(14) x x x x

(15) Omit sub-section (*3*) of section 133.

(16) Omit sub-sections (*2*) to (*4*) of section 134.

(17) After section 134 insert—

"135. *Income and Expenditure.*—

The amount of any fees received and the amount of any expenses incurred in giving effect to this Act shall be credited and debited respectively to the Municipal Fund of the Civil and Military Station of Bangalore".

(18) In the Fourth Schedule, the words "Central Government" wherever they occur shall stand unmodified.

(19) In the Sixth Schedule, for the words from "One of the groups of letters" to "These letters shall be followed by", substitute—

"The registration mark for a vehicle in the Civil and Military Station of Bangalore shall be the group of letters BAN followed by"."

C. G. HERBERT,

Secretary to His Excellency the Crown Representative.

To be published in the Mysore Residency Orders - 50 spare copies to be supplied (with 8 unsigned copies).

Copy to the Collector & District Magistrate,
Commissioner of Police,
Residency Surgeon,
Inspector of Schools,
District & Sessions Judge & Regr. of Joint Stock Companies,
Treasury and Income-tax Officer,
President, Municipal Commission,
Civil & Military Station, Bangalore.
Copy to be kept on the Press Table.

EXPRESS LETTER.

S. N. 13

DEPARTMENT.

BRANCH.

File No.

No.R.F.532-39 Judl.

Serial No.

Issue 27/2

Draft Letter / Memorandum / Telegram

Class for telegrams: INLAND: Immediate / Important / Express / Ordinary | FOREIGN: Immediate / Important / Ordinary / Without priority

Issued 27/2/41

No. ~~RxFx532~~ Dated 27th February 1941

From Resident, Mysore, Bangalore.

To Polindia.

To be issued on

1st Reminder

2nd Reminder

3rd Reminder

Heading:

Case or Diary No.

If post copy of telegram required

Date of despatch of above

List of enclosures

Issued on

Act at (R)

Please pay to F. M. Lo (F).

(Code word for telegrams.)

Amendment of the Motor Vehicles Act, 1939, as applied to the Civil and Military Station, Bangalore.

- - -

It has been represented that some arrangement needs to be made to provide for the case of Military Officers who have military driver orderlies and who require civil driving licences under the Motor Vehicles Act. The General Officer Commanding is one such case. His driver orderly is changed ~~every~~ month, and in order to comply with the rules, ~~he would have to buy~~ a new licence would have to be obtained every month. In order to meet what appears to be a genuine need, especially in war time and in a Station of this kind, it is proposed to insert in the Rules a provision that a military officer stationed in the Civil and Military Station, Bangalore, may, with the approval of the Officer Commanding the Station, be granted a special driving licence for his Military driver orderly for the time being. It is considered that a provision in the Act is necessary permitting such a provision in the Rules.

(R)

S. 5.

MGIPC—S5—1595(S&P)MFP—(M-944)—6-3-39—60,000 Pads.

2. As it is proposed to appoint the 1st April 1941 as the date on which the Act shall come into force, sub-section (2) of section 23 ~~also would~~ will require ~~an~~ amendment. It is considered that it would be sufficient to allow a period of 2 months to have the motor vehicles re-registered under the new Act.

3. A draft notification is enclosed for the consideration of the Crown Representative. to cover both parts

Resident.

The issue of the above has been authorised.

GH. O/C

Secretary to the Resident.

A.R.
27.2.41

2nd

Political Department.

Dated New Delhi, the March 1941.

Notification.

In exercise of the powers conferred by the Indian (Foreign Jurisdiction) Order in Council, 1937, and of all other powers enabling him in that behalf, the Crown Representative is pleased to direct that the following further amendments shall be made in the Civil and Military Station of Bangalore (Application of ~~Laws~~ Laws) Order, 1937, namely:

In the Schedule to the said Order, under the heading "Acts of the Central Legislature" in the column headed "Modifications and Restrictions" against the entry "132. The Motor Vehicles Act, 1939 (IV of 1939)" -

(a) after modification (1), the following modification shall be inserted, namely:-

"(1a) ~~In~~ At the end of sub-section (2) of section 3 insert -

"or to Military personnel"."

(b) at the end of clause (ii) of modification (4), insert -

"and for the words "1st day of April 1941" substitute "1st day of June 1941".".

Secretary to His Excellency the Crown Representative.

Please see Pol 33 - R.F. 532-39 (X)

B.R. 27.2.41

Telephones: 2439 Madras.

WITHOUT PREJUDICE. S. N. 14

[37 ±

Telegrams: "AYEAYE" Madras.

THE AUTOMOBILE ASSOCIATION OF SOUTHERN INDIA

Branch Offices:
BANGALORE
MADURA
OOTACAMUND

Affiliated with The R. A. C.

Patrons
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Secretary:
O. E. WINDLE, O.B.E.

Federated to The A.A.

Head Office:
200, Mount Road
POST BOX 304
MOUNT ROAD, P.O.

Major A.W. Waters, M.B.E.,
Hon. Secretary, Bangalore
Branch, A.A.S.I.
10, Infantry Road,

In reply please quote No. 15-1067

Bangalore, ~~Madras,~~ 19th March, 1941.

To
The Commissioner of Police,
Civil & Military Station,
Bangalore.

Dear Sir,

Subject:- The possibility of adopting a new Registration " Mark " of " BAN " in place of the existing " BA " for motor vehicles kept in the Civil & Military Station of Bangalore.

With reference to our conversation yesterday -

I note that before any change is effected, it will probably be published for objections or remarks.

At this stage, however, I should like to offer a few remarks, namely:-

(i) The Civil & Military Station of Bangalore is nowhere mentioned in the Motor Vehicles Act of 1939 and it would seem therefore that that Act - in itself - does not apply to Bangalore unless it is made to do so by separate and additional legislation.

Till that is done it does not appear that the Act has got to be followed verbatim in the matter of registration marks so long as they are not repugnant to the Act and otherwise cover all necessary and proper precautions for identification purposes and in no way offend within the broad intention of Section 28 (5) of the Act.

(ii) REGISTRATION MARKS.

Section 24 (3) mentions the assignment of " one of the groups of letters allotted to the Province by the Sixth Schedule followed by a number containing not more than four figures ".

It makes no mention of any third letter.
The Sixth Schedule however, DOES do so, and if the Schedule is to be taken as part of, and in conjunction with, its governing Section, it seems that the intention was, and is, to provide specially for " provinces " which are made up of a number of Distri (Madras has 24) and must necessarily differentiate to ensure speedy identification of cars and tracing of their relative records.

/2

All Communication with members are confidential and must not be Published or divulged to third parties without the consent of the Executive. Members are requested to quote their MEMBERSHIP NUMBER in all correspondence.

(iii) The Civil & Military Station is one small and self contained area, which is normally described as an assigned Tract, neither in British India nor - for the M.V. Rules - part of any Indian State. It requires no splitting up into Districts or Divisions like Madras City for instance, and for which the Province (not the M.V. Act) has assigned the third letters " C, or P ". (Section 52, Madras M.V. Rules, 1940).

The letters "BA" do not conflict with any combination of Registration marks in British India and B.A. describes, very well, Bangalore, and the mere fact of having only two letters, render them conspicuous and quite in consonance with what one may describe as, the peculiar position of Bangalore - though not, perhaps, soley unique in that respect.

2. After this, somewhat lengthy, preamble, which deals with the question of whether three letters are either necessary or imperative, I will detail some remarks and objections which I feel certain are bound to come from the public concerned. They are:-

(1) The "BA" is the only one of its kind in India.
(2) This Station is not included in the published text of the re-registration plans.
(3) The addition of any third letter to the present mark would involve expenditure to local car owners who would
    (a) have to paint out all old marks to insert the letter "N", and the purchase of new plates in cases where the plates were not long enough to comply with the standard dimensions and spacing of the letters etc.
    (b) The definite "scrapping" of nearly all number-plates of the more expensive type of the fixed rivetted aluminium and enammelled figures,
(4) This Station is neither within the Madras Presidency nor in British India so that it does not appear to come under the published order, and
(5) if uniformity is a consideration, the necessity or utility of a third letter is not apparent.

The points I raise are, of course, merely my personal views and those with whom I have talked.

They are not to be considered as the opinion of this Association nor in any way, to prejudice this Association's views if and when the matter is published for objections and suggestions.

Yours faithfully,

A. L. Masters.
19.3.41. Major
Hon. Secretary, Bangalore Branch,
A.A.S.I.

AGS.

No.R.F.532-39
Judl.

Issue 28/3

Issued 31/3/41

DEPARTMENT.

BRANCH.

File No.

Serial No.

Draft Letter / Memorandum / Telegram

Class for telegrams — INLAND: Immediate / Important / Express / Ordinary | FOREIGN: Immediate / Important / Ordinary / Without priority

No. Dated 31 March 19 41.

To be issued on

Issued on

1st Reminder

2nd Reminder

3rd Reminder

Heading:

Case or Diary No.

If post copy of telegram required

Date of despatch of above

List of enclosures Encl

(Code word for telegrams.)

To

The Secretary to His Excellency the Crown Representative, New Delhi.

Registration mark for vehicles in the Civil and Military Station, Bangalore.

Sir,

I have the honour to say that it has been represented that in the circumstances prevailing in the Civil and Military Station, Bangalore, the present registration mark on motor vehicles, namely the letters "BA" followed by a number, may be retained when the Motor Vehicles Act, 1939, is brought into force on 1st May 1941, which date it has since been decided to appoint as the date on which the Act will come into force. Sub-section (3) of section 24 of the new Act requires the assignment to vehicles of the registration mark allotted to the Station by the Sixth Schedule followed by a number containing not more than four figures. The Sixth Schedule has been

(X) * Pol. Dept. had been told in para 2 of S.N. 13/Cor. p. 34 that it is proposed to bring the Act into force on 1-5-1941

⊕ Ref at (R)

S. 5.
MGIPC—S5—1595(S&P)MFP—(M-941)—6-3-39—60,000 Pads

been modified prescribing the group of letters "BAN" for vehicles in the Station. While the three letter system set forth in the Sixth Schedule would be useful in British India, the first two letters indicating the Province and the third letter indicating the District or any other division therein where the vehicle is registered, that system is not necessary in this Station, which is a single administrative unit. The addition of the third letter "N" to the present mark would involve expenditure to local car owners who would have to paint new marks, or replace existing plates by new ones in cases where they are not long enough to comply with the standard dimensions and spacing of letters, and the cost would be heavier in the case of car owners who prefer number plates of the more expensive type of the fixed aluminium and enamelled figures. I consider, therefore, that it is not necessary to change over to the three letter system, and enclose a draft notification modifying the Sixth Shhedule, for the consideration of His Excellency the Crown Representative.

I have etc.,

Resident.

RSR
27.3.41

please see para 9 of S.N.4 Cor.p.11 at cor.p.13.

Political Department.

Dated New Delhi, the April 1941.

Notification.

In exercise of the powers conferred by the Indian (Foreign Jurisdiction) Order in Council, 1937, and of all other powers enabling him in that behalf, the Crown Representative is pleased to direct that the following further amendment shall be made in the Civil and Military Station of Bangalore (Application of Laws) Order, 1937, namely:-

In the Schedule to the said Order, under the heading "Acts of the Central Legislature" in the column headed "Modifications and Restrictions" against the entry "132. The Motor Vehicles Act,1939 (IV of 1939)"-

*(19) In modification (2) for the letters "BAN" substitute "BA".

please see cor. pp. 25 & 26.

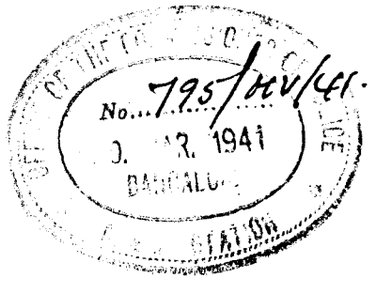
Secretary to His Excellency
the Crown Representative

1, 2

Major A.W. Waters, M.B.E.,
Hon. Secretary, Bangalore Branch
of the A.A.S.I.

10, Infantry Road,
Bangalore, 29th March, 1941.

No.15-1271



To
The Commissioner of Police,
Civil & Military Station,
Bangalore.

Dear Sir,

Subject:- Re-registration of cars in the Civil & Military Station and the adoption of a Registration mark (letters) to precede the figures.

The Secretary, A.A.S.I. points out to me an important point that " BA " is the International identification for Burma and all cars brought into India under triptyque carry plates so marked.

When these letters are used throughout India, it would add to uniformity if the Station adopted BAN and would avoid any confusion with Burma numbers.

He also suggests the possibility someday of a Bangalore number being prosecuted for an offence committed by a Burma visito

I lose no time in mentioning these points, in the interim before suggestions are called for (if they are) in the Press.

2. I had not overlooked the above points and expect that you too had not. International distinguishing marks are distinc from those from the point of view of the registration of motor vehicles.

The sign (p. 297 of the M.V. Act 1939) is formed of a special and oval plate 30 cms wide by 18 cms high and are black on a white ground, etc and cannot be confused with registration number-plates. I have such a plate before me as I write.

These may have 2, or 3 letters.

It is noted that Brazil and Bihar are BR, as are Bulgaria and Bengal BG, except that B.I. have a third letter.

/2

Assuming even that Burma has adopted " BA " for its ordinary registration mark, they will, as a Province, probably have a third letter for each district, in which case, it could not be confused with B.A.

If Burma uses 3 letters, they may even have a " BAN ".

3. Another point is that, the motor vehicles International circulation rules seem only to have been circulated by the Government of India on the 1st August 1933 and Burma is not shown in the List of Contracting States, so presumably, it was included in " India ", the letters being " BI ". It would seem therefore that Burma has since adopted BA., if so, why ?

In Bangalore, " BA " is not a new idea and has, to my personal knowledge, been used over 20 years, though I imagine much longer and it is doubtful whether there has ever been a police prosecution mixing a Bangalore car with a Burma one. Even were such a mishap to happen, motor alibis are simple matters, aided by the International distinctive sign, which is so extraordinarily conspicuous and impossible of confusion.

* * *

The expense and trouble of having new number-plates is appreciated as an unavoidable corollary in many cases, and whilst thousands of motorists in British India have had to change their plates, it is quite another matter, if there is no necessity to change the letters.

Yours faithfully,

29. 3. 41

Hon. Secretary, Bangalore Branch,
A. A. S. I.

Copy to:-

The Secretary,
A. A. S. I.,
Madras.

With reference to his No.BB/MVT, dated 27th March, 1941.

Submitted

29-3-41.

Issue 15/4

× Cor. p. 32 ⊗

Issued 16/4/41

No.48 Dated 15th April 1941.

Notification.

Under sub-section (3) of section 1 of the Motor Vehicles Act,1939 (IV of 1939) as applied to the Civil and Military Station of Bangalore, the Hon'ble the Resident is pleased to appoint the 1st of May 1941 as the date on which the said Act shall come into force.

Secretary to the Resident.

To be published in the Mysore Residency Orders. (× Sent as Encl. to Extra-ordinary d. 16/4/41).

To The District Magistrate,

The Commissioner of Police,

The President, Municipal Commission,

Civil and Military Station,

Bangalore.

12.4.41

Typed

No.F.103-I.B./41.

From

The Secretary to His Excellency the Crown Representative,

To

The Hon'ble the Resident in Mysore.

OFFICE OF THE
HON'BLE THE RESIDENT
IN MYSORE, BANGALORE.
17 APR 1941
Diary No. 3574
File No ..... Sir,

Dated New Delhi, the 2nd April 1941.

Amendment of the Motor Vehicles Act, 1939, as applied to the Civil and Military Station, Bangalore.

I am directed to refer to your letter No.R.F.532-39/Judl., dated the 27th February 1941 and to forward a copy of the Political Department notification No. 125 - I.B., dated the 2nd April 1941.

2. The modification of sub section (2) of section 3 of the Motor Vehicles Act, 1939 in its application to the Civil and Military Station of Bangalore proposed by you in paragraph 1 of your letter under reply has not been considered necessary since no civil driving licence will be required if the vehicles used by the military officers are vehicles belonging to the Central Government. The military driving licence issued under section 14 of the Motor Vehicles Act, 1939, as applied to the Civil and Military Station will be adequate. A regular civil driving licence will, however, have to be obtained if the vehicle used is other than that referred to in section 14 of the Act.

I have the honour to be,
Sir,
Your most obedient servant,

for Secretary to His Excellency the
Crown Representative.

Issue & file
21/4

DEPARTMENT.

BRANCH.

File No.

Serial No.

Issued 21/4/41

Draft Letter / Memorandum / Telegram

Class for telegrams — INLAND: Immediate / Important / Express / Ordinary; FOREIGN: Immediate / Important / Ordinary / Without priority

No. 57 Dated 21-4-41 19

From Resident Mysore

To Polindia New Delhi.

To be issued on

Issued on

1st Reminder

2nd Reminder

3rd Reminder

Heading:

Case or Diary No.

If post copy of telegram required — yes.

Date of despatch of above

List of enclosures

× S.N. 15 (×)
Cor. p 39

Reference my letter ~~No.~~ R.F. 532/39/Judl.*, dated 31st March ~~regarding retention of letters B.A. as registration mark under the new Motor Vehicles Act AAA. Kindly expedite reply.~~

(Code word for telegrams.)

New Motor Vehicles Act.
Retention of registration
Mark B A AAA Request
Early orders.

BR
21/4/41

S.N.19.

47

Issue 28/4

DEPARTMENT.

BRANCH.

File No.

Serial No.

Draft Letter / ~~Memorandum~~ / Telegram

Issued 28/4/41

Class for telegrams: INLAND: ~~Immediate~~ / ~~Important~~ / Express / Ordinary — FOREIGN: Immediate / Important / Ordinary / Without priority

No. 60 Dated 28/4/41 19 .

From Resident Mysore.

To Polindia Simla

To be issued on	Issued on
1st Reminder	
2nd Reminder	
3rd Reminder	
Heading:	×S.N.18 Conf. A 6
Case or Diary No.	
If post copy of telegram required	- yes.
Date of despatch of above	
List of enclosures	

~~Reference~~ my telegram ~~No~~.57 ~~dated 21st~~ April 2156 registration mark on motor vehicles AAA Request telegraphic orders.AAA Addressed Simla ~~and~~ repeated ~~to~~ New Delhi.

BRao 28/4/41

Hardy

(Code word for telegrams.)

C.R. 10.55 P.M 29.4.41

No. 48

INDIAN POSTS AND TELEGRAPHS DEPARTMENT.

S.N.20

0 17/40 SIMLA 29 STE 22 RESIDENT MYSORE BANGALORE

× S.N.19 (X) 713 YOUR TELEGRAM 60 APRIL 28TH

Cor f 47

REPLY ▪ DESPATCHED TWENTYEIGHTH REGRET

THREE LETTER MARK MUST BE

RETAINED -- POLINDIA --

OFFICE OF THE
[illegible]
IN MYSORE, [illegible]
30 APR 1941
Diary No. 4388
File No. .....

With C.P. Kindly see and return.

30.4.41

Seen thanks. 30/4/41

336 20/54

The sequence of entries at the beginning of this telegram is—class of telegram, time handed in, serial number (in the case of foreign telegrams only), office of origin, date, service instructions (if any) and number of words.

This form must accompany any enquiry respecting this telegram.

MGIPPAh.—824—9-7-40—18,000.

No.F.103-I.B./41.

From

The Secretary to His Excellency the
Crown Representative.

To

The Hon'ble the Resident in Mysore.

OFFICE OF THE
HON'BLE THE RESIDENT
IN MYSORE, BANGALORE.
5 MAY 1941
Diary No. 4555
File No. ..... Sir;

Dated Simla, the 28th April 1941.

Registration mark for vehicles in the
Civil and Military Station, Bangalore.

.....

I am directed to refer to the correspondence resting with your telegram No.57, dated the 21st April 1941.

2. The question of altering the three letter system set forth in the Sixth Schedule to the Motor Vehicles Act, 1939, to a two letter one has been examined on more than one occasion but always with the result that the former system has been preferred; this has been so in the case of administered areas other than the Civil and Military Station, Bangalore, notwithstanding the fact that such areas are small and have only one registering authority.

3. It is not considered that there can be any considerable inconvenience or expenditure in adding the letter 'N', since in most cases as in other areas it can easily be inserted on the existing number plate. In the circumstances, it is not considered desirable to make a departure in the case of the Civil and Military Station, Bangalore, by altering the registration mark already prescribed under the Act as applied.

I have the honour to be,
Sir,
Your most obedient servant,

for Secretary to His Excellency the Crown
Representative.

No.R.F.610/40/Judl. Dated 16/5/41.

From

The Secy. to the Resident.

To

The Hony. Secretary

Automobile Assocn. of Southern India

- - - - - - - - - - - - - - - -

Southern Division Rate Payers Assocn.

- - - - - - - - - - - - - - - -

Bangalore Trades Association.

Bangalore Motor Vehicles Rules, 1941.

Sir,

I am directed to refer to your letter No.15-1271, dated the 29-3-1941
27, dated 23-4-1941
dated 25-4-1941,

and to say that the suggestion made by your association regarding the retention of the two letter system (BA) was referred to H.E. the Crown Representative but he regrets his inability to accede to the request.

I have etc.,

Sd/ P. Ma. Raman Nayar,

for Secy. to the Resident.

THE HON'BLE THE RESIDENT IN MYSORE,
BANGALORE.

—

NOTIFICATION

No. 74 Bangalore, dated the 14-5-41

The following draft of ~~xxxxxx~~ an amendment to the Bangalore Motor Vehicles Rules,1941, which the Hon'ble the Resident proposes to make in exercise of the powers conferred by section 21 of the Motor Vehicles Act,1939 (IV of 1939) as applied to the Civil and Military Station of Bangalore, is hereby published as required by sub-section (1) of section 133 of the said Act, for the information of all persons likely to be affected thereby.

Notice is hereby given that the draft will be taken into consideration on or after the 22nd May 1941, and that any objection or suggestion which may be received from any person with respect thereto before the date aforesaid will be considered by the Hon'ble the Resident.

Draft amendment.

Rule 49 shall be deleted.

14.5.41
for Secy. to the Resident.

HC 7-5-41

To be published in the next issue of the Mysore Residency Orders.

P Press Manager
Please publish this in tomorrow's R. Orders & supply 5 unsigned copies. HC 14-5-41.

Copy to the D.M.
C.P.

THE HON'BLE THE RESIDENT IN MYSORE.

NOTIFICATION.

No. 74, dated Bangalore, the 14th May 1941.

The following draft of an amendment to the Bangalore Motor Vehicles Rules, 1941, which the Hon'ble the Resident proposes to make in exercise of the powers conferred by section 21 of the Motor Vehicles

Bangalore Trades Association

FOUNDED 1898. (INCORPORATED UNDER THE INDIAN COMPANIES ACT, 1882.)

—MEMBER—
FEDERATION OF TRADES
ASSOCIATIONS OF INDIA.

United Kingdom Contact:—
London Association
for Protection of Trade.

All Cheques and Remittances
to be made payable to
Bangalore Trades Association.

TELEPHONE 129

Registered Office:
17a South Parade,
BANGALORE,

15th May 1941

The Secretary to the
Resident in Mysore,
Bangalore.

Dear Sir,

Bangalore Motor Vehicles Rules 1941 - Proposed Draft Rules.

File put up separately

I have received no acknowledgment of my letter dated 25th April 1941, conveying the views of this Association on the above subject.

On behalf of my Committee, may I ask the favour of being informed as to whether the Association's views have been considered.

I remain, Dear Sir,
Yours faithfully,

J. McCampbell
Capt,
Honorary Secretary.

OFFICE OF THE
HOME DEPARTMENT
IN MYSORE, BANGALORE.
17 MAY 1941
Diary No. 4987
File No

The Hon'ble the Resident in Mysore.

Notification.

No. 91 dated the 31st May 1940

In exercise of the powers conferred by section 68 of the Indian Motor Vehicles Act, 1939 (IV of 1939), as applied to the Civil and Military Station of Bangalore, the Hon'ble the Resident is pleased to direct that the following further amendment shall be made to the Bangalore Motor Vehicles Rules, 1941, namely:-

Rule 49 shall be deleted.

Secretary to the Resident.

To be published in the Mysore Residency Orders, d/-1-6-41
Copy to D.M.
C. of Police
P.M.C.,
C. and M.Station,
Bangalore.

Press Table.

No.F.103(2)-I.B./41. S.N.26.

From

The Secretary to His Excellency the Crown Representative,

To

The Hon'ble the Resident in Mysore.
The Hon'ble the Resident for Rajputana.
The Hon'ble the Resident for Central India.

OFFICE OF THE
HON'BLE THE RESIDENT
IN MYSORE, BANGALORE.
21 JUL 1942
Diary No. 8213
File No. Sir,

Dated New Delhi, the 16th July 192.

Application of the Motor Vehicles Act, 1939 to the Administered Areas.

I am directed to refer to the Political Department notification No. 148-I.B., dated the 27th April 1942
No.9-I.B., dated the 15th January 942
No.390-I.B., dated the 24th December 1940
and to enquire whether the Motor Vehicles Act, 139 (IV of 1939) has since been brought into force in the

Civil and Military Station of Bangalore
District of Abu
Central India Administered Areas

and if so, from what date.

I have the honour to be,

Sir,

Your most obedient servant,

for Secretary to His Excellency the Crown Representative.

Draft submitted on the reverse.

Secretary

27.7.42

Resolt

25/7

5. The expenditure will be debited to the M.A.T. budget.

6. I request that the proposed establishment may kindly be sanctioned at a very early date. I have already appointed the clerk and the peon in anticipation of Political Department's sanction.

Copy of the memorandum from the Secretary to His Excellency the Crown Representative, No.F.11(9)-R-44, dated the 4th May 1944.

Entertainment of temporary staff in connection with the application of the Civil Motor Transport Vehicles Control Order, 1944, in the Civil and Military Station, Bangalore.

Reference correspondence ending with your Express letter No.F.94-C/F, dated the 14th April 1944.

2. The Crown Representative is pleased to sanction the grant of special pay and allowances and the creation of the temporary posts in the Civil and Military Station, Bangalore, as detailed below with effect from the dates shown & against them and for the duration of the Civil Motor Transport Vehicles Control Order:-

(i)	Special pay at Rs.50/- (Rupees fifty only) per mensem to the Secretary to the Provincial Transport Authority.	From the 1 st March 1944.
(ii)	One clerk on Rs.30/5/2-70 per mensem with the usual dearness allowance.	From the dates of their appointments.
(iii)	One peon on Rs.15/- per mensem with the usual dearness allowance.	
(iv)	One Executive Officer on Sergeant's pay and allowances. (Pay Rs.150-8-110-8-200, house rent allowance Rs.75/- per mensem and conveyance allowance Rs.8/-, 15/- or 30/- per mensem according to the nature of conveyance maintained.)	From the date of his appointment.
(v)	Station Writer's allowance to the Provincial Transport Authority's office orderly at Rs.5/- per mensem.	From the date of performing these duties

(vi)

(vi) Station Writer's allowance to one constable working as assistant to the Executive Officer at Rs.5/- per mensem)

Please intimate whether the extra constable required as assistant to the Executive Officer cannot be found from the additional police ~~xx~~ sanctioned in connection with the working of the various schemes in the Civil and Military Station, Bangalore.

3. The extra cost involved during the current financial year should, as far as possible, be met from the sanctioned budget grant of the Bangalore Municipal Board for that year and an application for an additional allotment submitted to this Department in due course to the extent necessary.

C/-

Copy of Express letter No.P.94-46/4, dated the 6th March 1944, to ~~HEx~~ H.E. the Crown Representative.

Application of the Lease/Land Vehicles Control Order, 1943 to the C & M Station, Bangalore.

Reference your memorandum No.F.6(62)-ID/43, dated 10th February 1944.

2. I have appointed the Commandant of Police & P.T.A., C & M Station, Bangalore as the D.P.T.C. for the C & M Station, Bangalore.

3. The P.T.A. already does similar work under the M.V. Act and Rules, and in respect of transport vehicles, under the Petrol and Tyre Rationing Orders, and he is therefore the most suitable authority to take this on; but considerable extra work is involved - allocation and quarterly inspection of controlled vehicles, investigation of the suitability of producer gas in each particular case, assessment of depreciation in cases of resumption, checking of dealers and sub-dealers records under the Spare Parts Control Order (which will presumably be applied to the Station shortly) and of vehicles on the roads in respect of batteries and the like. It is essential therefore that the P.T.A. should be given increased assistance. The following are the minimum requirements.

(1) An additional allowance of Rs.50/- p.m. to the Secretary to the P.T.A. for general supervision, checking and inspection of controlled vehicles and spare parts. This officer's work has increased considerably and he is drawing comparatively little in proportion to his responsibility. He also draws no car allowance.

(2) One clerk on Rs.55-5-5/2-70 p.m.
(3) One peon on Rs.15/-p.m.
(4) The grant of a station writer's allowance of Rs.5/- to P.T.A.'s office orderly. It is necessary to arrange for an educated constable to be posted to P.T.A.'s office to deal with enquiries. This helps greatly to relieve the clerks from constant interruption

This orderly can be found from the Armed Reserve strength as he can be withdrawn in an emergency. Such educated police constables wish to be transferred to the executive to earn promotion. The proposed allowance will help to keep suitable men on this work.

(5) An executive officer with the rank, pay and allowance of a Sergeant, in the Police Force for general checking work, to assist with inspection, etc. It will be necessary to offer at least a sergeant's pay to obtain a man of sufficient status and possibly with some mechanical knowledge, for this important and responsible work.

(6) The provision of an additional constable as assistant to the executive officer with station writer's allowance of Rs.5/-, as he must be able to assist in keeping records and notes in English of checking and inspection.

4. The cost of the establishment proposed is modest and amounts only to Rs.377/- p.m. as follows:-

(i)	Special pay to Secretary to P.E.A.	Rs.50/-
(ii)	Pay of clerk	Rs.55/-
		11/- D.A.
(iii)	Pay of peon.	Rs.15/-
		Rs.8/8/- D.A.
(iv)	Station writer's allowance to P.E.A.'s office orderly.	Rs.5/-
(v)	One executive officer on Sergeant's pay and allowances. (pay Rs.150/-8-180-5-200, house rent allowance Rs.25/- and conveyance allowance of Rs.5/- extra 15 /- or 30/- according to the nature of the conveyance maintained-)	Rs.195/-
(vi)	One additional Constable as assistant to the Executive officer. (Pay Rs.21, station writer's allowance Rs.5/- and house rent allowance of Rs.3/-	29/-
		9/8/- D.A.
	Total	377/-